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[AS AMENDED IN COMMITTEE AND ON RE-COMMITMENT]

TO

Render necessary in Ireland, as in England, a Year's Notice to
Quit to determine a Tenancy from Year to Year, and
otherwise to amend the Law as to Notices to Quit.

A.D. 1876.

WHEREAS it is expedient to require in Ireland, as in England,
a year's notice to quit to determine a tenancy from year to
year, and otherwise to amend the law as to notices to quit :

Be it enacted by the Queen's most Excellent Majesty, by and
with the advice and consent of the Lords Spiritual and Temporal,
and Commons, in this present Parliament assembled, and by the
authority of the same, as follows :

1. After the passing of this Act a year's notice to quit, expiring
on the last gale day of the calendar year, irrespective of the
10 period of the year when such tenancy commenced, shall in all
cases be necessary and sufficient to determine a tenancy from year
to year of any holding in Ireland, where a notice to quit is now
by law necessary for the determination of the same, except in the
case when a tenant shall be adjudged a bankrupt, or shall have
15 filed a petition for a composition or arrangement with his creditors,
and in that case a half year's notice expiring on any gale day,
irrespective of the period of the year when such tenancy commenced,
shall be sufficient; but nothing in this section shall extend to the
case of a tenancy from year to year created either before or after
20 the passing of this Act by a written contract, which contains a
special agreement as to the time and mode of determining such
tenancy.

A year's notice to quit shall be necessary and sufficient to determine a tenancy from year to year. [Agricultural Holdings (Regulation) Act, 1875, s. 51.]

2. After the passing of this Act no notice to quit, other than
what is now required by law, shall be necessary to determine a
25 tenancy at will, or a tenancy less than a tenancy from year to year.
[Bill 226.]

A year's notice to quit not necessary in certain tenancies.

A.D. 1876.

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 Resumption
 for improve-
 ments.

3. Where on a tenancy from year to year a notice to quit is given by the landlord with a view to the use of land for any of the following purposes:

- The providing of gardens for existing farm labourers' cottages or other houses; 5
- The allotment for labourers of land for gardens or other purposes;
- The planting of trees;
- The opening or working of any coal, ironstone, limestone, or other mineral, or of a stone quarry, clay, sand, or gravel pit, 10
- or the construction of any works or buildings to be used in connection therewith;
- The obtaining of brick earth, gravel, or sand;
- The making of a watercourse or reservoir;
- The making of any road, tramroad, siding, canal, or basin, or any 15
- wharf, pier, or other work connected therewith;

and the notice to quit so states, then it shall by virtue of this Act be no objection to the notice that it relates to part only of the holding.

In every such case the provisions of "The Landlord and Tenant (Ireland) Act, 1870," respecting compensation shall apply, to the extent of the premises mentioned in the notice to quit, as on determination of a tenancy in respect of the entire holding.

The tenant shall also be entitled to a proportionate reduction of rent in respect of the land comprised in the notice to quit, and in 25 respect of any depreciation of the value to him of the residue of the holding, caused by the withdrawal of that land from the holding, or by the use to be made thereof; and the amount of that reduction shall be ascertained by agreement or settled under "The Landlord and Tenant (Ireland) Act, 1870," as in case of compensation. The 30 forms already in use under the Land Act may be used so far as the same may be applicable.

The tenant shall further be entitled at any time within twenty-eight days after the service of the notice to quit, to serve on the landlord a notice in writing to the effect that he (the tenant) 35 accepts the same as a notice to quit the entire holding, and the notice to quit shall have effect accordingly.

Service of
 notice to
 quit in case
 of tenant's
 intestacy.

4. In any case where a tenant has died or shall die intestate, and no administration has been taken out to his estate, or in case a tenant has died or shall die leaving a will which has not been 40 proved, it shall be sufficient to address a notice to quit "to the

"representatives of, and all persons claiming to represent (naming
 "the tenant), deceased," and it shall not be necessary to other-
 wise set out or describe who such representatives are; and such
 notice to quit so addressed shall be deemed to be sufficiently served
 5 by leaving one copy of such notice at the former dwelling-house of
 the deceased tenant, or posting it on some conspicuous part of the
 holding, and sending another copy of such notice in a prepaid regis-
 tered post letter addressed in manner above mentioned and directed
 to the townland and county in which the holding, or any part thereof,
 10 is situated, and such notice shall be good and effectual notwith-
 standing any subsequent administration or probate granted to any
 person or persons whatsoever.

A.D. 1876.

5. This Act shall not apply to any holding which is not agri-
 cultural or pastoral in its character, or partly agricultural and
 15 partly pastoral, and the term "holding" shall include all land of
 the same character held by the same tenant of the same landlord
 for the same term, and under the same contract of tenancy.

Agricultural
 or pastoral
 holdings only
 subject to
 this Act.
 [The Landlord
 and Tenant
 (Ireland) Act,
 1870, s. 22.]

6. So much of the fifty-eighth section of "The Landlord and
 Tenant (Ireland) Act, 1870," as enacts that "a notice to quit
 20 "shall not, in the case of a tenant from year to year, take effect
 "until after the expiration of a period of not less than six calendar
 "months from the date of the service of the notice, such period of
 "six calendar months, in the absence of agreement to the contrary,
 "to terminate on the last gale day of the calendar year," shall be
 25 and the same is hereby repealed, save and except as to notices to
 quit served before the passing of this Act.

Repeal of
 portion of the
 58th section
 of the Land-
 lord and
 Tenant (Ire-
 land) Act,
 1870.

7. Nothing in this Act shall affect or invalidate notices to quit
 served before the passing of this Act.

This Act
 not to affect
 pending
 notices to
 quit.

8. This Act may be cited as "The Notices to Quit (Ireland)
 30 Act, 1876," and shall be construed as one Act with "The Landlord
 and Tenant (Ireland) Act, 1870," save so far as it repeals or is
 inconsistent with said Act.

Short title.

Notices to Quit
(Ireland).

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B I L L

[AS AMENDED IN COMMITTEE AND ON
RE-COMMITMENT]

To render necessary in Ireland, as in
England, a Year's Notice to Quit to
determine a Tenancy from Year to
Year, and otherwise to amend the Law
as to Notices to Quit.

(*Prepared and brought in by*
Mr. Colman O'Loghlen, Mr. Jerning, and
Mr. Patrick Morin.)

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[Bill 220.]

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